01 02 03 04 UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON 05 AT SEATTLE 06 UNITED STATES OF AMERICA, Case No. CR05-0145-TSZ 07 Plaintiff, 08 SUMMARY REPORT OF U.S. v. MAGISTRATE JUDGE AS TO 09 LANA DANIELLE SWEAT, ALLEGED VIOLATIONS OF SUPERVISED RELEASE 10 Defendant. 11 12 An evidentiary hearing on a petition for violation of supervised release in this case was scheduled before the undersigned Magistrate Judge on November 20, 2006. The United States 13 14 was represented by Assistant United States Attorney Adam Cornell, and the defendant by Mr. 15 James Vonasch. The proceedings were recorded on cassette tape. 16 The defendant had been charged and convicted of Uttering Counterfeit Obligations or Securities in violation of 18 U.S.C. §§ 471 and 472. On or about November 18, 2005, defendant 17 18 was sentenced by the Honorable Thomas S. Zilly to a term of five (5) days in custody to be 19 followed by three (3) years of supervised release. 20 The conditions of supervised release included the requirements that the defendant comply 21 with all local, state, and federal laws, and with the standard conditions. Special conditions 22 imposed included, but were not limited to, participation in a substance-abuse and mental-health 23 program, financial disclosure, 180 days in a community confinement center, and to possess a 24 valid I.D. 25 In a Petition for Warrant or Summons dated September 19, 2006, U.S. Probation Officer Christopher S. Luscher asserted the following violations by defendant of the conditions of her

REPORT AND RECOMMENDATION OF U.S. MAGISTRATE JUDGE AS TO ALLEGED VIOLATIONS OF SUPERVISED RELEASE PAGE 1 01 supervised release:

02

03

04

05

06

07

08

09

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

- (1) Failing to notify the Probation Officer at least ten days prior to any changes in residence and employment on or before August 4, 2006, in violation of standard condition number 6.
- (2) Failing to report for urinalysis testing on or about August 3, 9, and 22, 2006, and September 5, 2006, in violation of the mandatory condition requiring her to submit to drug testing up to a maximum of eight tests per month at dates and times directed by the U.S. Probation Officer.
- (3) Failing to participate and successfully complete the Moral Reconation Therapy (MRT) program on or about August 23, 2006, in violation of the special condition requiring her to participate as directed in a mental health program approved by the U.S. Probation Office.
- (4) Failing to report to the probation officer on or about August 24, 2006, in violation of standard condition number 2.

The defendant was advised of the allegations and advised of her rights. Defendant admitted all four violations.

I therefore recommend that the Court find the defendant to have violated the terms and conditions of her supervised release as to violations 1, 2, 3, and 4, and that the Court conduct a hearing limited to disposition. A disposition hearing has been set before the Honorable Thomas S. Zilly on December 7, 2006, at 1:30 p.m.

Pending a final determination by the Court, the defendant has been detained.

DATED this 21st day of November, 2006.

AMES P. DONOHUE

United States Magistrate Judge

cc: District Judge: Honorable Thomas S. Zilly

AUSA: Mr. Adam Cornell
Defendant's attorney: Mr. James Vonasch
Probation officer: Mr. Christopher Luscher

REPORT AND RECOMMENDATION OF U.S. MAGISTRATE JUDGE AS TO ALLEGED VIOLATIONS OF SUPERVISED RELEASE PAGE 2